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ACT

TO PROVIDE FOR TAKING

FUTURE ENUMERATIONS

OF THE

Inhabitants of this State,

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FOR PROCURING USEFUL

STATISTICAL TABLES,

PASSED APRIL 8, 1825.

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ALBANY:

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1825.

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1833.

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AN ACT

To provide for taking future Enumerations of the Inhabitants of this State, and for procuring useful Statistical Tables.

Passed April 8, 1825.

I. *Be it enacted by the people of the State of New-York, represented in Senate and Assembly.* That the Common Council in each of the cities, and the supervisors, town clerk and assessors of each of the towns in this state, shall respectively convene at some convenient place in each of the said cities and towns, on or before the first Monday in July next, and on or before the first Monday of July at the end of every ten years thereafter ; and shall appoint one discreet and proper person, to be called a marshal, in each town and ward, to take an enumeration of the inhabitants in each of the said cities and towns, and to perform the other duties enjoined upon them by this act.

II. *And be it further enacted,* That the Secretary of this state shall, without delay, in this present year, and shall also, without delay, in the several years, when future enumerations are required to be taken by virtue of this act, and of the constitution of this state, cause blank returns, in books or otherwise, to be printed, in conformity to the provisions of this act ; and shall, on or before the first day of May next, and on or before the first day of May in the several years when future enumerations are required as aforesaid to be taken, cause to be transmitted by mail to the clerk of the city of New-York, twenty copies of the said returns, and to each of the county clerks in this state twice as many of the said returns as there are wards and towns in their said counties respectively ;

and shall also, at the same time, transmit in like manner to each of the clerks aforesaid, a like number of copies of this act ; and it is hereby made the duty of the said clerks respectively, on or before the fifteenth day of July next, and in like manner on or before the fifteenth day of July in the several years when future enumerations are required as aforesaid to be taken, to distribute the said blank returns and copies of this act, among the several marshals appointed according to this act, one blank return, and one copy of this act, being hereby allowed to each of such marshals.

III. *And be it further enacted*, That the said marshals shall, without delay, on receiving such blank returns and copies of this act, proceed to take a true and accurate enumeration of the inhabitants residing in the said cities, towns and wards, for which they shall have been respectively appointed, and enter the same in their returns, so to be delivered to them as aforesaid, in manner following, that is to say : In the *first* column, the name of the head of each family ; in the *second* column, the whole number of male persons in that family, including its head if male ; in the *third* column, the whole number of female persons in that family, including its head if female ; in the *fourth* column, the whole number of male persons in that same family, subject to *militia duty*, and being between the ages of eighteen and forty-five years ; in the *fifth* column, the whole number of male persons in the same family qualified to vote at elections for state and county officers, by virtue of the constitution of this state ; in the *sixth* column, the whole number of persons in the same family, (being included in the second and third columns,) who are *aliens* not naturalized ; in the *seventh* column, the whole number of persons in the same family who (included as aforesaid) are

paupers ; in the *eighth* column, the whole number of persons (included as aforesaid) who are *persons of colour* not taxed ; in the *ninth* column, the whole number of persons of colour in the same family who are taxed ; and in the *tenth* column, the whole number of persons of colour in the same family who are taxed and qualified to vote at elections for state and county officers, but that number not to be included in the *ninth* column ; and the said marshals shall also enter in a separate class of columns succeeding the above, and on the same returns, the following particulars, viz : *First*, the whole number of deaf and dumb, of ideots and lunatics, in said town or ward for which they shall have been appointed, distinguishing sexes, ages and circumstances ; the whole number of married female persons in each family under the age of forty-five years : *Secondly*, the whole number of unmarried female persons in each family between the ages of sixteen and forty-five years : *Thirdly*, the whole number of female persons in each family unmarried, under the age of sixteen years : *Fourthly*, the whole number of marriages in each family, where the female married person resided during the year preceding, and the whole number of births and deaths in each family during the like time, distinguishing the sexes ; and the returns so made out as aforesaid, shall be certified by the said marshals so taking the same, to be true to the best of their knowledge and belief, and subscribed and sworn to before any judge, justice of the peace, master in chancery or commissioner authorised to take affidavits, who shall certify such attestation ; and such marshals respectively shall, on or before the first day of December next, and on or before the first day of December in the several years in which such enumerations shall be required to be taken as

aforesaid, cause the said returns by them made out as aforesaid, to be delivered to the county clerks of the counties respectively in which they shall have been appointed.

IV. *And be it further enacted*, That it shall be the duty of each county clerk, on receiving the returns of such enumeration, and before the second Tuesday of January next, and before the second Tuesday of January next after, in the several years in which such enumerations are required to be taken as aforesaid, to make and forward to the Secretary of State, by mail, an abstract under his hand and the seal of his county, containing the sum total in each ward and town in his county, (specifying the same towns and wards by name,) of the particulars required to be stated in the several columns as aforesaid, by the marshals taking such enumeration ; and such county clerk shall also make out and state the sum total of such particulars respectively in his county ; and it shall be the duty of the Secretary of State to prepare and forward to the several county clerks in this state, printed blanks of such abstract so required to be made and returned as aforesaid, for their use.

V. *And be it further enacted*, That the accounts for the services of the marshals taking any enumeration under this act, and of the county clerks respectively for services under this act, shall be audited by the supervisors of the county where the services are performed, and shall be assessed, collected and paid as part of the contingent expenses of the same county : *And further*, It shall be the duty of the Secretary of this state, after receiving the abstracts required to be sent to him by the county clerks as aforesaid, to make and report to the legislature a general account of any enumeration taken under this act, specifying such

enumeration as taken in the several wards and towns in this state, and a recapitulation of the whole.

VI. *And be it further enacted*, That the marshals to be appointed under and in virtue of this act, for the purpose of taking any enumeration in pursuance thereof, shall make actual inquiry at every dwelling house, or of the head of every family, and if any person so inquired of shall refuse to give the information required, or shall knowingly or willingly give false information to the marshal engaged in taking such enumeration, concerning any of the particulars which such marshal is required to state in his returns, the person so offending shall pay a penalty of twenty-five dollars, to be recovered with costs of suit, before any court having cognizance thereof, by and in the name of the commissioners of common schools, for the benefit of the common schools in their respective towns, and whose duty it shall be to prosecute therefor, on the complaint of the marshal ; and if any person or persons, or bodies corporate, whose duty it shall be to appoint marshals to take any enumeration under this act, or if any marshal appointed to take such enumeration, or any county clerk, or any other person on whom any duty is enjoined by this act, shall refuse or neglect to perform the same, or shall otherwise misdemean himself therein, every such person so offending shall forfeit and pay to the people of this state the sum of two hundred dollars, to be sued for and recovered by the Attorney-General, with costs of suit, by information or action of debt, in any court of record having cognizance thereof.

VII. *And be it further enacted*, That every person whose usual place of abode shall be in any family on the first day of July next, or on the first day of July in every year in which an enumeration is required

to be taken under this act, shall be returned as of such family ; and every person occasionally absent at the time of taking such enumeration, as belonging to that place in which he usually resides in this state.

VIII. *And be it further enacted*, That the marshals aforesaid shall respectively, at the time they take such enumeration, ascertain as nearly as may be, and take the number of acres of improved land occupied by each person ; the number of neat cattle ; the number of horses, sheep and hogs owned by each family ; the number of yards of fulled cloth ; the number of yards of flannel and other woollen cloths not fulled ; the number of yards of linen, cotton or other thin cloths manufactured in the domestic way, in each family, during the year next preceding ; also the number of grist mills, saw mills, oil mills, fulling mills, carding machines, cotton and woollen factories, iron works, trip hammers, distilleries and asheries ; and for those purposes, the Secretary of this state shall cause proper additional columns to be made to the blank returns, to be by him provided in manner aforesaid, which said returns shall be made out, sworn to, and returned in the same manner as the other returns ; and the said persons taking the same shall be compensated in like manner as for their other services under this act, and the Secretary shall make and report an account of the returns made under this section of the act, in the same manner as he is directed to make and report an account of the census by the preceding sections of this act.

STATE OF NEW-YORK, }
Secretary's Office. }

I certify the preceding to be a true copy of an original act of the legislature of this state on file in this office.

J. V. N. YATES, Secretary.

Albany, April 29, 1825.